

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION**

**CHRISTOPHER MORGAN, on behalf of himself  
and a class of others similarly situated,**

**Plaintiff,**

**v.**

**Civil Action No.: 3:17-cv-00045  
Judge Norman K. Moon**

**ON DECK CAPITAL, INC.,**

**Defendant.**

**PLAINTIFF'S UNOPPOSED MOTION FOR  
FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiff Christopher Morgan, on behalf of himself and a class of others similarly situated, moves for final approval of the Settlement Agreement, which was preliminarily approved by this Court on April 30, 2020. ECF No. 102. This motion is unopposed, as not a single member of the 59,585-person Settlement Class has objected. A proposed order granting final approval is attached for this Court's consideration.

For all the reasons set forth in the contemporaneously filed memorandum of law, Plaintiff requests that this Court:

1. Grant final approval of the Settlement Agreement, pursuant to Fed. R. Civ. P. 23(e);
2. Award the Class Representative, Christopher Morgan, an Incentive Award in the amount of \$15,000 for the reasons set forth in Plaintiff's *Motion for Attorneys' Fees and Costs* (ECF No. 104) and the memorandum in support thereof (ECF No. 105);

3. Award Class Counsel its attorneys' fees in the amount of \$1,030,000 and reimbursement of litigation costs in the amount of \$30,929.48 for the reasons set forth in Plaintiff's *Motion for Attorneys' Fees and Costs* (ECF No. 104) and the memorandum in support thereof (ECF No. 105);

4. Authorize the payment of \$62,629 to the Settlement Administrator for Settlement Administration Expenses;

5. Dismiss this case with prejudice and without costs (except as otherwise provided herein and in the Settlement Agreement); and

6. Retain jurisdiction over this action for the purpose of interpretation and enforcement of the Settlement Agreement, including oversight of settlement administration and distribution of settlement funds.

**CHRISTOPHER MORGAN,**

**By counsel:**

/s/ Michael B. Hissam  
Michael B. Hissam (VSB Bar #76843)  
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**CERTIFICATE OF SERVICE**

I hereby certify that on October 2, 2020, I served a true and correct copy of the foregoing document via the Court's ECF system.

*/s/Michael B. Hissam*

Michael B. Hissam